

1907-042  
Lee Co

Chancery Causes: Leonard Smith vs. Rosa Smith

Bush, Harbor

CA-Divorce

T-Vies

Migration



To the Honorable H.A.W. Skeen Judge of the Circuit Court of  
Lee County, Va.,

Humbly complaining your complainant Leonard Smith would  
respectfully represent and show unto your honor, that he on the \_\_\_  
day of --- 190<sup>th</sup> was married to one Rosy <sup>R</sup>ush that they lived together  
as husband and wife for a short time, when your complainants  
wife became untrue to him, and disregarded her marriage vows and  
wilfully deserted and abandoned your complainant, and left the  
state of Va., and your complainant has been informed that his  
said wife the defendant, is now living in adultery with another man,

Your complainant alleges that the aforesaid separation and  
abandonment, has continued for more than three years before the  
inst<sup>it</sup>ution of this suit, and that he has been a citizen and  
resident of Lee County, Va., all his life and for the 12 months  
next preceding the institution of this suit, that they last

co-habited, together in this Lee Co, and have not lived nor co-  
habited together for more than three years before the institution  
of this suit. The prayer of your complainant is that the said  
Rosy Smith be made a party defendant to this bill and answer the  
same but not on oath, that being waived that order of publication  
be posted and published against the defendant, who is a non-resident  
that on a hearing your complainant be divorced <sup>be</sup>avinculo-Matrimonii,  
and for all other relief generally that the nature of his case may  
require, or to Equity seem meet, and he will ever pray &c.

M. H. Ely, Jr.



184  
Leonard Smith Off.  
vs { Bill in Chancery  
Pro a Smith. Off.

---

1907 1<sup>st</sup> April Rules  
Bill filed, Spa.  
not executed, Deft.  
non-resident &  
O.P.

2<sup>nd</sup> April Rules  
O.P. completed &  
cause set for  
hearing.

Costs:

Clerk. \$5.21

~~Shiff.~~

Atty. 15.00

Comm. 75.

\$20.96

Printer.



Leonard Smith Plff.  
against {{{ In Chancery  
Rosa Smith Deft.

This cause came on this day to be heard upon the bill of complainant and depositions filed therewith, order of publication duly posted and published against the non-respondent defendant, and was argued by counsel,

On consideration of which, the court being of opinion that the allegations of complainant's bill has been proven, it is therefore adjudged ordered and decreed that the bonds of matrimony existing between plaintiff and defendant be dissolved, and that the plaintiff be forever divorced from his said wife the defendant. A vinculo Matrimonii, and nothing remaining to be this cause is stricken from the docket.



Leonard Smith

vs. {{ Deane.

Rosa Smith

Entered in C.O.B.

#8, page 286-

Enter this

H. A. W. Shaw

May 21-1907-



The deposition of M.E.Harbor, taken before me Geo.P.Cridlin, a Commissioner in Chancery for the Circuit Court of Lee County, Virginia, at the office of M.G.Ely, in the town of Jonesville, Va. on the 4th day of May, 1907, which depositions is intended to be read as evidence in behalf of the plaintiff in a certain suit in chancery now pending in the Circuit Court of Lee County, Virginia, in which Leonard Smith is plaintiff and Rosa Smith is defendant.

Present M.G.Ely, counsel for plaintiff.

M.E.Harbor, a witness of lawful age being first duly sworn deposes as follows,

Q.1.-- Please state your age, residence and whether or not you are acquainted with the plaintiff and defendant?

A.-- I am 48 years old, reside at Hubbard Springs, Va. and I am acquainted with the defendant <sup>S. Plaintiff</sup> have known her for four or five years, and have known the plaintiff ~~for~~ all my life. The plaintiff was born and raised in Lee County, Virginia and has resided in Lee County for more than twenty years.

Q.2.-- Please state what you may know about the separation of the plaintiff and the defendant?

A.-- I know that the defendant willfully deserted and left the plaintiff last Christmas was four years ago. The plaintiff was away from home on that day and she came to my house with their baby and said that she was going to leave the baby on his hands, and left it at my house, and left on the night train that night for Kentucky. She said she did not intend to live with him any more, and they have not lived together for more than three years. I have been informed that she is Knoxville Tennessee at a house of prostitution. Plaintiff and defendant last cohabited together in Lee County, Virginia.

And further this deponent saith not.

M. E. Harbor

Virginia, Lee County, to-wit:

I, Geo.P.Cridlin, a commissioner in Chancery for the Circuit Court of Lee County, Va. do certify that the foregoing deposition of M.E.Harbor, was taken sworn to and subscribed before me at the time, place and for the purpose in the caption mentioned. Given under my hand this the 4th day of May, 1907.

Geo. P. Cridlin  
Commissioner in Chancery.



Leonard Smith  
" { In Chg

Rosa Smith

---

Depositions

---

Filed May 4, 1907

H. C. J. Ewing  
clerk

Cover for 75¢ Paid



In the Clerk's Office of the Circuit Court of the county of Lee, on the 2<sup>nd</sup>  
day of March, 1907.

Leonard Smith,  
Plaintiff  
against  
Rosa Smith,  
Defendant

*In Chancery.*

The object of this suit is to obtain a divorce from the bonds  
of matrimony, a vinculo matrimonii.

And an affidavit having been made and filed that the defendant, Rosa Smith is  
a not resident of the State of Virginia, it is ordered that she do appear here within fifteen days  
after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is  
further ordered that a copy hereof be published once a week for four weeks in the The Punnington  
News, and that a copy be posted at the front door of the Courthouse of this county as prescribed  
by law.

A copy—Teste:

M. G. G.

p. q.

N. C. J. Ewing, Clerk.  
By M. C. H. H. H.,



Leonard Smith

vs.

}

ORDER OF  
PUBLICATION

~~vs.~~ Rosa Smith.

Virginia, Lee County, to-wit:  
I, J. C. S. Ewing, County  
Clerk, do certify that I  
posted a true copy of  
the within order of pub-  
lication at the front  
door of the Court-  
house of said County  
on this day,

Given under my hand,

This Mch. 2<sup>nd</sup> 1907.

J. C. S. Ewing Clerk



In the Clerk's Office of the Circuit Court of the County of  
Lee

Leonard Smith,

Plaintiff

against

Rosa Smith,

Defendant

This day M. G. Ely personally appeared  
before me M. E. Hawary, Deputy for S. C. Ewing, Clerk of the said Court,  
and being duly sworn, made oath that Rosa Smith

defendant in the said suit not resident of the State of Virginia,

Given under my hand as Deputy Clerk of the said Court, this 2<sup>nd</sup> day of March, 1907.

M. E. Hawary, Deputy for S. C. Ewing,  
Ewing, Clerk.



Leonard Smith

VS { AFFIDAVIT FOR ORDER  
OF  
PUBLICATION

Rosa Smith

M. J. Gely p. q.

Filed Mar. 2, 1907-

H. C. G. Ewing,  
Clerk



The Commonwealth of Virginia,

To the Sheriff of the County of Lee, Greeting:

WE COMMAND YOU, That you summon

*Rosa Smith*

to appear at the Clerk's office of the Circuit Court of the County of Lee, at rules to be held for the said court, on

the *1st* Monday in *April*, 190*7*, to answer a bill in chancery exhibited against *her*

*by Leonard Smith,*

And have then there this writ. Witness, H. C. T. EWING, Clerk of our said Court, at the court-house, the *25*

day of *March*, 190*7*, and 1*31* year of the Commonwealth.

A Copy, Teste:

*H. C. T. Ewing*, Clerk

\_\_\_\_\_, Clerk



Leonard Smith

VS

SUBPENA  
IN  
CHANCERY

Rosa Smith

W. H. Eley,

p. q.

To

1<sup>st</sup> April

Rules

Circuit

Court

1907,



## ORDER OF PUBLICATION.

---

In the Clerk's Office of the Circuit Court of the county of Lee, on the 2nd. day of March, 1907.

Leonard Smith Plaintiff,

vs.

} In Chancery.

Rosa Smith, Defendant.

The object of this suit is to obtain a divorce from the bonds of matrimony a vinculo matrimonii.

And an affidavit having been made and filed that the defendant, Rosa Smith is not a resident of the State of Virginia, it is ordered that she do appear here within fifteen days after due publication hereof, and do what may be necessary to protect her interest in this suit. And it is further ordered that a copy hereof be published once a week for four weeks in the Pennington News and that a copy be posted at the front door of the Courthouse of this county as prescribed by law.

A copy Teste:

H. C. T. Ewing, Clerk. By M.  
E. Flanary D. C. M. G. Ely,  
p. q.



Leonard Smith

vsm) In Chancery

Rosa Smith

This is to certify that the within Order Of Publication  
of Leonard Smith vs. Rosa Smith was published for four  
In the Pennington News  
successive weeks, beginning on the 8th. day of March and ending  
on the 29th. Given under my hand on this the 19th. day of April,  
1907.

W. K. Hopkins Editor,  
The Pennington News.



1871

It is to certify that the within copy is a true and correct copy of the original as the same is on file in the office of the Secretary of the Interior.

Smith